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PROPOSED PLAN PUBLIC MEETING for the

STAR LAKE CANAL SUPERFUND SITE

Effie & Wilton Hebert Public Library

2025 Merriman Street

Port Neches, Jefferson County, Texas

JULY 11, 2013

6:04 p.m.



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1 P R O C E E D I N G S

2 MR. LITTLE: We're going to go ahead and try
3 to get started. I want to thank everyone for coming this
4 hearing, and I want to introduce some people and kind of
5 give you an idea what we're going to do this evening.
6 We're going to welcome you all. Thanks for coming.

7 Gary's going to show you a Power Point
8 presentation on the things we've got planned for the
9 site. Ken Shewmake is also from the Environmental
10 Protection Agency and he'll be helping Gary. Gary's last
11 name is Miller. He's actually the Remedial Project
12 Manager for the site.

13 During the presentation, if you have a
14 question that just can't wait, that would be fine; but we
15 prefer that you wait till the end so we can get through
16 it. We can go back to any slides that you want to go back
17 and revisit and talk about the pictures of the maps that
18 are over there. So we can go back but if you could wait
19 till the end, then let us get through the presentation,
20 that would help.

21 We have lots of people from lots of different
22 organizations here tonight. We have a representative from
23 Texas Commission on Environmental Quality. We have the
24 Texas State Health Department representatives here, people
25 from the EPA, gentlemen from Huntsman, couple of gentlemen

1 from Huntsman and the contractors for the site. So we
2 should have people here that can answer any of your
3 questions. Ken is the Risk Assessor and we will also be
4 recording this meeting this evening.

5 Trevor Causey is our court reporter. She'll
6 be taking everything down and recording it. This record
7 will be part of the administrative record for the site.
8 It will be kept in the repository here at the library. So
9 that -- if any of you want to refer back to this meeting,
10 it's something we said or didn't say, it'll be in there.

11 I'll ask you if you're going to ask questions
12 during or after to please stand, state your name so that
13 Trevor can catch who you are and if you could spell your
14 name. They're not easy like mine, Little, you know. Some
15 of our names get a little long and confusing.

16 Actually, the mailing of our fact sheet which
17 I think everyone got started the 30-day comment period on
18 the proposed plan. The comment period is open to public
19 comment. Anything you want to state needs to be in
20 writing and it needs to be addressed to Gary. In our fact
21 sheet -- and there's copies back at the table where you
22 signed in -- is the address that the comments need to be
23 sent to. The comment period started June 21st, the day
24 that the fact sheet should have been delivered here and it
25 ends on July 20th.

1 Are there any questions at this point or can

2 I turn it over to Gary and we can get started with the
3 important things? Okay. It's all yours buddy.

4 MR. MILLER: Thank you, Bill. I'll just say
5 I'm Gary Miller again. I'm with EPA. I'm the Remedial
6 Project Manager for the site. Just a little bit of
7 information about me. I've been with EPA for nearly 20
8 years now and --

9 So anyway, I just want to kind of add a few
10 things that Bill said. We're going to be covering a lot
11 of stuff here. Some of it's technical and some of it's --
12 it's really a summary of a lot more information. So all
13 those documents that this information came from, they're
14 all here in a repository in the library. So if any of you
15 do want to take advantage of that, you're welcome to come
16 by and look at it. And you can see these maps and these
17 figures, they're all in there.

18 And also, please feel free to call me, send
19 me an email. You can certainly ask questions tonight; but
20 if you think of some questions later on or you're just
21 curious about something, just give me a call. I'll be
22 glad to talk to you so ...

23 Okay. We're going to talk about the Star
24 Lake Canal Superfund Site tonight. Here's the location
25 right on Neches River above Sabine Lake. There's Beaumont

1 up in the upper left corner. And going on to the next

2 slide. This is more of a detailed map of the site.

3 There's seven areas that were investigated in the site.

4 We'll get into those areas more in a little bit.

5 Just a little bit of background. The main

6 part is the -- let's see if this pointer works. Yeah.

7 Here's the Star Lake Canal and it runs through here. And

8 that's roughly 3 miles long. And a few other things.

9 There's the Neches River right here and Sabine Lake is
10 down over here in this area somewhere so ...

11 All right. So what's the history of the

12 site? Well, it started off in the 1940's. They were,

13 during World War II, they were making chemicals to make

14 synthetic rubber during the war. So that's how it got

15 started. During all that time, there were discharges in

16 the Star Lake Canal, Jefferson Canal. And back in those

17 early days, there were no permits, no restrictions. Just,

18 you know, it was all just dumped into the canals.

19 Another back in 1983, Jefferson Canal was

20 dredged and a dredge material was put up on the bank next

21 to the canal. So we'll be talking about that somewhere

22 later because that material was contaminated as well. The

23 site was added to the Superfund List in 2000. That's

24 officially known as the National Priorities List.

25 And then following that, there was an

1 administrator order that was issued to Chevron
2 Environmental Management and Huntsman in 2005. And that
3 order required that investigation and an assessment of the
4 site and a study of various remediation alternatives for
5 the contamination that was found.

6 One other thing I want to say, that all the
7 investigation and the site cleanup will be done and paid
8 for by Chevron Environmental and Huntsman so it's not the
9 federal government during this work. It's -- they are.
10 No. They aren't doing it under federal oversight and
11 oversight of the state and other agents so anyway ...

12 Okay. Well, here's an aerial view of the
13 site. And the main thing I wanted to show here is you
14 can't really see the numbers; but that shows the locations
15 of all the samples, part of them that were done. There
16 were a total of about 250 sediment river mud samples,
17 about a hundred soil samples, about a hundred tissue
18 samples and that tissues are fish, crabs, insects, the
19 plants, just all kinds of things were sampled.

20 So anyway, the Tier 1 or Phase 1 of the
21 samples were done. That information was got back. Folks
22 looked at it and they came up with a second round of
23 samples and that's what these locations are. It's just to
24 fill in some gaps of the information or get some more data
25 about certain areas that -- so anyway, that was a Tier 2

1 samples.

2 All right. So what did we find? Well, there
3 are a bunch of contaminants found. PCBs, the number of
4 pesticides, a volatile organic chemicals, a number of
5 metals, lead, arsenic. So anyway, all of these were --
6 these are all the contaminants that were in the site and
7 found there.

8 All right. So well, what does that mean?
9 What's the risks for all that stuff? Well, there are two
10 types of risk assessments that's done: One is human
11 health and one is for ecological risk. So this first one
12 is the Human Health Risk Assessment. And well, basically
13 the bottom line, there is no human health risk. There is
14 eco risks. We'll talk about that in a little bit; but
15 just looking at some of the numbers, there's two types of
16 ways we estimate or calculate human health risks: One's
17 cancer and the other one is noncancer.

18 So in the case of cancer, the highest risk
19 that was calculated was 7 times 10 and minus 5th. Well,
20 that's -- what that means is there's less than one
21 additional cancer for every 10,000 people. So I know
22 that's a lot of numbers but that is within the acceptable
23 range for additional cancer risks.

24 Now, there's other -- there's noncancer
25 risks, toxicities of various types. And the way we assess

1 that, we calculate this number that's called a hazard
2 quotient. And we say the benchmark for that is one. So
3 if it's greater than one, then there's -- it's likely
4 noncancer effects would happen. Well, in all the areas,
5 the highest risk was .96; and of course, the rest of them
6 were lower than that. So the net result of that is the
7 noncancer effects are unlikely to occur, all right.

8 So we're okay for the Human Health Risk
9 Assessment, but then the second one was the Ecological
10 Risk Assessment. And this is where we estimate the risk
11 for the insects, the small animals, the birds, raccoons,
12 bull fogs. I think there was a total of about 15 animals
13 that were used as potential receptors. They were
14 evaluated for this risk. So bottom line, there are
15 ecological risks at the site and just a little more
16 information about how we calculate that.

17 There's different methods for salt water and
18 fresh water sediments. Now, the salt water areas are the
19 Star Lake Canal area up until approximately the --
20 I understand it's called the Sara Jane Bridge and
21 Molasses Bayou area. Those are all salt-water-type
22 environments. And then up-street of that, it gets more
23 into the fresh area areas.

24 But anyway, for the salt water areas, there's
25 a benchmark we use. It's called the Effects Range Median

1 Quotient. And what we say, if that number is above 0.5,
2 then there's a concern. There's a high probability that
3 there's ecological risk. Well, some of the results, the
4 highest result, we got up to almost 35. That was in the
5 Molasses Bayou. So that's way above that benchmark. So
6 there's a good probability of toxicity risks.

7 We kind of use the same process, a different
8 benchmark for fresh water. For fresh water, we use a
9 Probable Effects Level Quotient or a PEL. And if that
10 number is above 1.5, then we say, okay, there's a problem
11 there. Well, the highest results were about 55 and that
12 was in the Jefferson Canal area. So as I said, there are
13 ecological risks to the site.

14 All right. So, you know, that's a bunch of
15 numbers; but what does that really mean? Here's a map
16 that shows the results of all those quotients, those PELs
17 and ERMs that were calculated. And what this map says is
18 that if an area is this yellow or red, it has greater than
19 50 percent probability of eco-toxicity.

20 So looking at this map area, you see a lot
21 yellow areas, a lot of red areas. There's some red areas
22 here on Jefferson Canal. It's hard to see on this map;
23 but also right here. It's some others right here. Those
24 are the areas that were identified that need to be cleaned
25 up or need to be remediated. So that's how -- you'll see

1 later on. I'll focus in on the individual areas. Well,
2 this overall map and these results were how we came up
3 with those areas so ...

4 All right. So what will be the objectives
5 for this cleanup? As we said, there's ecological risks.
6 So it's says protect the benthic invertebrates. Well,
7 that's just insects and small animals in the mud. And we
8 say we want to remediate areas that basically have a
9 greater than 50 percent probability of having ecological
10 toxicity.

11 We also want to protect the -- what we call
12 the upper trophic level animals which are just animals
13 higher in the food chain. And again, by -- we're going to
14 do that by reducing or remediating somehow those areas
15 that have the high toxicity and also by removing the
16 contaminants from the Jefferson Canal Spoil Pile and I'll
17 show you what that is here in a minute.

18 Okay. So how we're going to do that? Well,
19 there's a number of ways that were evaluated based on the
20 areas and what -- one is just dig it up and haul it off,
21 depose of it off site. The second journal category is
22 containment and there's a lot of different options for
23 that. There could be soil caps, clay caps, erosion
24 control mats. And what a mat is, that's just like an
25 aggregate material, maybe aggregate clay or something that

1 has a like a polymer or polymesh material around it to
2 contain it.

3 It could have some other things in it, too.
4 Also, some armored cap if there's a concern about erosion
5 in the area. You'll need the protection of an armored cap
6 which here for the site basically means things like gravel
7 and stuff.

8 The last one is Monitored Natural Recovery.
9 What that means is you're just -- you don't do anything
10 active to it. You depend on the natural processes. It
11 may be biological chemical breakdown, physical burial,
12 transport dilution. Yeah, dilution's included in it. But
13 anyway, what was done is various combinations of all these
14 alternatives were looked at for these various -- those
15 seven areas at the site. And like I said, I'll be getting
16 into that as to what those were for those each individual
17 areas.

18 All right. Before I get into that, I should
19 say well, how do we evaluate those various alternatives?
20 Well, basically, there's these threshold criterias. What
21 that means is some type of a remediation technology, it
22 has to protect human health and the environment, all
23 right, and it's to comply with the laws and regulations.
24 So whatever we do, it's got to meet these two.

25 Now, the rest of them, these are -- we call

1 balancing and modifying criteria. There's a number of
2 them here, but there are things like: Well, what's a long
3 term effectiveness of this remedy or what's it cost?
4 Another thing we consider is state and community
5 acceptance. So that's part of what we're doing here is to
6 let you folks know what we're talking about and hear your
7 comments and hear what you think about it. So anyway ...

8 Okay. This is the first area, former Star
9 Lake area. Here's Atlantic Road or Sara Jane Road. Star
10 Lake Canal is running through here. Here is the hurricane
11 levy and there's the pump station. Neches River is up
12 over here in this area. Okay. This is the area --

13 Oh, one other thing, all these fancy colored
14 lines you see running through here, these are all
15 pipelines. So most of the areas have a lot pipelines
16 running through them of all different types. So that's
17 something that's going have to be dealt with in the
18 remediation. But this area over here, these blue areas,
19 these are the areas that have the high probability of
20 toxicity. So that's the areas that would have to be
21 remediated, have to be cleaned up somehow or another.

22 Okay. Here's a picture. This is standing on
23 the Atlantic Road looking to the south. This is the Star
24 Lake Canal. This whole area on both sides is the former
25 Star Lake area. And the area that was blue on the former

1 map, it's on the left hand side. So this is the area that
2 would require some work done to it.

3 All right. So what were the alternatives for
4 this area? Well, five alternatives were considered, and
5 that included -- now, one thing, EPA is required to always
6 consider a no-action alternative like well, what would
7 happen if he didn't do anything? Well, in this case, if
8 he didn't do any --

9 In all these cases, if you didn't do
10 anything, you'd leave a high risk and you know, we can't
11 do that. But they pretty much all of them include some
12 type of removal, dig it up and haul it off or some type of
13 containment. And these are all put together in five
14 different alternatives. And these were all evaluated in a
15 report that's called the Feasibility Study and that
16 Feasibility Study is here in the repository. So if any of
17 you folks would like to get some more information, I'd
18 encourage you to go take a look at it.

19 But after looking at and weighing those five
20 alternatives and applying those -- you know, it's got to
21 be protective, it's got to be in the laws, et cetera.
22 We've come up -- this is EPA in conjunction with the other
23 agencies, et cetera -- has come up with the preferred
24 alternative for this area and that happens to be No. 2b.

25 Well, what is 2b? Well, this is what we're

1 proposing to do for this area, and it includes 12 inches
2 -- removes the top 12 inches, hauling off site and dispose
3 of it. Now, it's just outside of the pipeline areas. And
4 the pipeline areas, you're concerned or you've got these
5 pipelines with chemicals, high pressure, whatever so you
6 don't want to be disturbing them. You need to be real
7 careful close to the pipeline. So this removal would be
8 just done out of the pipeline area. It's called pipeline
9 servitude. It's typically 25 feet on either side of the
10 pipeline.

11 After that's done, go back in with an
12 impermeable cap. Well, it just means clay. So fill it
13 back up to the original elevation. And then in the
14 pipeline areas, either cover it with the erosion control
15 mat which is -- that's the aggregate that has the polymesh
16 to kind of support it. Just lay that on top near the
17 canal banks or a 12-inch composite cap. Now, a composite
18 cap would be 6 inches of soil and 6 inches of clay.

19 And I should say something about -- the clay
20 has the advantage as it isolates the material blow
21 better. And so in some cases, you'll see well, we're
22 proposing to use clay. The soil does better for
23 reestablishing the vegetation, the ecology and whatnot.
24 So you'll see in number of areas we say well, let's go
25 with the composite cap. Well, that's kind of the reason

1 for that. In other areas, we'll say an impermeable cap or
2 clay because we want the extra isolation that that'll give
3 you. Plus, the clay is a little bit more resistance to
4 erosion and that kind of thing.

5 So anyway, that's the first area. The next
6 area is the Jefferson Canal Spoil Pile. In this area,
7 here is erosion levy. There's the pump house. This is
8 366 and so this area runs in between there. Jefferson
9 Canal runs pretty much on this tree line through here and
10 it goes under the road and it goes back over here. But
11 anyway, this was material that was pulled out of Jefferson
12 Canal when the dredging was done in '83 and yes, it's
13 contaminated so --

14 And there's various mounds through this area
15 and it's contaminated so -- and that's what the blue area
16 is. And of course, you've got the pipelines going through
17 here. Here's a picture of it. This is on top of the
18 hurricane levy. The pump station is right over here to
19 the left. Jefferson Canal is right in this tree line
20 here. And so this open area right here is the spoil
21 pile. That's where the material is placed when it was
22 dredged.

23 All right. Here's something I just wanted to
24 kind of point out again, the pipeline locations. In this
25 particular area, here's the pipeline servitudes or areas

1 and that amounts to -- I think the number was 24 percent
2 of the total area. So again, we need to be really careful
3 in this area because we don't want to be breaching or
4 breaking open one of those pipelines.

5 So anyway, okay. So what is a preferred
6 alternative for the -- well, in this case, we looked at
7 six different alternatives, combinations of removal and
8 containment. The preferred alternative, again, happen to
9 be No. 2b in the Feasibility Study. And that one included
10 remove those mounds to the original grade and then go back
11 over the entire area with a two-foot composite cap in this
12 case which would be one foot of soil and one foot of
13 clay.

14 Now, the plan is right now is to go over the
15 pipeline areas with that as well. Well, of course, we
16 need to be very careful doing that. So the plan would be
17 to use light equipment, not the heavier equipment and do
18 it carefully so we don't do any damage to those pipelines
19 but anyway ...

20 Okay. The next area is the Jefferson Canal
21 area. This is the upstream part of it. Here is 366.
22 Jefferson Canal runs long here. Then along 366 crosses
23 under it and then goes on up to the hurricane levy and
24 that'll be in the next slide. But anyway, here's the
25 pipelines again of the various types, all these color

1 lines. And the areas that need to be remediated are these
2 blue areas. These were the areas that the sampling found
3 high levels.

4 And so like this area here, here's another
5 area next to the highway, goes under the highway. This is
6 just a blowup of this section right here. The other thing
7 is this area right here -- until you get close to the
8 hurricane levy -- is okay. It's not contaminated.
9 Either, you know, the material was washed on downstream or
10 whatever; but anyway, the levels in the mud there, the
11 sediment were all low. So there wasn't a risk in those
12 areas.

13 All right. This is a downstream area. If on
14 that previous slide, if you continue, here's the Jefferson
15 Canal going. It turns around. This is a wooded area.
16 This is a Spoil Pile over here. Here's the hurricane levy
17 again. You can see the pump station really good here.
18 Just as a --

19 For your information, what happens is this
20 water goes under the levy. It's called an underflow, and
21 that handles a normal flow. In times of high flow,
22 there's a weir right here so the level rises. It goes
23 over the weir, goes in the pump station. So that pump
24 station supplements what's going in the underflow. So
25 that's how the water gets over the hurricane levy. But

1 anyway, here's your blue areas. These samples had high
2 levels. So this area right in here would need to be --
3 need to be addressed, need to be cleaned up.

4 Okay. Here's a picture. You can't really
5 see the canal. It's kind of just right on the edge of
6 this tree line here which again, standing on the hurricane
7 levy right here. Here is the weir that goes to the pump
8 station which is just off to the left. And what happens
9 is the water flows over it, it rises, it goes over this
10 weir and then it's pumped through the pump station.

11 All right. So what's the alternative for
12 this area? The preferred alternative is No. 3b for this
13 one. There were nine total alternatives evaluated for
14 this one. So what come out -- came out of that is to do
15 within -- this is all within the canal -- is dig up the
16 top 12 inches but this is outside of the pipeline areas.
17 So also --

18 Then go back and replace that with a soil cap
19 again just outside of the pipeline areas. And for those
20 contaminated areas where the pipeline crosses the canal,
21 to go in there with an erosion control mat, again, just to
22 stay on top of it. And that'd be, I guess you'd say
23 minimally evasive in the pipeline areas.

24 All right. Okay. The next one is a Star
25 Lake Canal area. Again, here's all the pipelines going

1 through it. Star Lake Canal, it's kind of hard to see but
2 it runs up this way. The Neches River is up here. Here's
3 the Atlantic Road crossing here. So basically, this area
4 on either side of Atlantic Road is contaminated so it does
5 require remediation.

6 Here's a picture of it that's looking toward
7 the Neches River. So the preferred alternative for this
8 one which is No. 2 is to dig up and remove the top 12
9 inches of the contamination and go back in there with a
10 12-inch clay cap. And you know, the purpose for the clay
11 here as oppose to the soil is, again, it gives you a
12 little more erosion protection in that area. Plus, it
13 separates the remaining contamination that's -- will be --
14 remain after the top 12 inches is removed.

15 One thing I should say, in these areas where
16 you have these canals and you have these flows, the
17 hydraulic capacity of these channels, the work will be
18 done so that capacity will be maintained, you know. We're
19 not going to be filling up the canals and plugging them
20 off so they back up, things like that. We'll maintain
21 that hydraulic flow capacity.

22 All right. This next one is the Molasses
23 Bayou area. Star Lake Canal runs through here. Again,
24 there's some pipelines here but not directly in the
25 Molasses Bayou area. Blue areas are the contaminated

1 areas right here.

2 Now, this is the same area but it's in the
3 wetlands which is just outside of the area of the bayou.
4 These blue areas are contaminated as you can see here,
5 what would require remediation. Here's a picture of it.
6 This area right here happens to be in that initial area
7 you saw right here that has this contamination. So right
8 in here, the bayou right here will have to be remediated
9 plus both sides of the bank.

10 All right. So what are we talking about
11 doing there? When the bayou, we're talking about
12 Monitored Natural Recovery. And again, that's depending
13 on natural processes. That's in the some of the areas
14 that are -- I'll say they're still -- have some toxicity
15 but they're less contaminated.

16 The problem in the wetlands or the issue in
17 the wetlands is yeah, you can go in there and dig it up
18 and haul it off; but when you do, you destroy the
19 wetlands. You destroy all that habitat. So it's kind of
20 a balancing issue between well, we want to clean it up but
21 we don't want to destroy it when we try to clean it up.

22 So anyway, part of it is Monitored Natural
23 Recovery; but in other areas that typically have the
24 higher risk, we're going to dig up the top foot. And in
25 the case of the bayou, you go back in there with a 12 inch

1 armor cap. So that's like gravel to stand up to the
2 erosion that could be happening there.

3 In the wetlands area, the preferred
4 alternative was 2b. And again, in the less contaminated
5 areas that are -- still have toxicity, Monitored Natural
6 Recovery. And then in the other areas are a little bit
7 higher, a little bit more of a concern, a 12-inch
8 composite cap.

9 Now, I will say about that composite cap,
10 there is a concern because you're in the wetlands. You're
11 piling on a foot higher. You're increasing elevation by a
12 foot, okay. You're going to have the tides coming in.
13 You're going to have erosion, whatever. So there is a
14 little bit of implementability concern about that, you
15 know, whether that material is going to stay there or
16 whether it's going to tend to wash out. But I just wanted
17 to mention that but that's what we're going with at this
18 point.

19 All right. Now, this is the last area, Gulf
20 States Utility Canal. This is about a hundred feet to the
21 north, I guess, northwest of the Star Lake Canal. Here's
22 the Star Lake Canal. Here's the Gulf States Utility
23 Canal. And it's a very narrow and shallow area. It was
24 dug when they were putting in all those utility lines. So
25 you know, it's not really very big but it is there. And

1 this area is pretty much right near the middle of it and
2 that's the contaminated area and it needs to be cleaned
3 up.

4 Here's a picture of it. Neches River is on
5 the background. Here's the big power lines and here, you
6 can see part of it. You know, you can see water. Some
7 areas, you can't hardly see water. It's all basically
8 overgrown. It kind of comes and goes. But the preferred
9 alternative for this area, the Gulf States Utility Canal,
10 is No. 2 in the Feasibility Study which is a 12-inch
11 composite cap, half soil and half clay for that blue
12 area.

13 Okay. So, you know, that's all the
14 alternatives we're recommending or preferring. So what is
15 that going to cost? Well, it's not going to be cheap.
16 These are the seven areas and the cost for the individual
17 -- those each individual areas.

18 For instance, the former Star Lake area.
19 That was the one that was just to the south of the
20 Atlantic Road. That was going to be over five million
21 dollars to do that. The total for all of them together is
22 going to be just a little over 22 million. So fairly
23 significant but I will say there was a range of
24 alternatives looked at and some of the alternatives were
25 less than that and some were a lot more than that. And so

1 if anybody's interested in that, we can get into the cost
2 of some of the other alternatives.

3 Okay. I haven't said anything about
4 groundwater yet, but I should mention that there is a
5 groundwater plume of contamination under the Huntsman
6 facility; but that groundwater contamination is not a part
7 of this. It's being addressed under a Texas Corrective
8 Action Program. They put in a number of monitoring wells
9 and they're developing plans to address that. And
10 currently, the thinking is a biodegradation, a natural
11 biodegradation process but -- so that contamination is
12 there but it's not a part of the Superfund Site. It's
13 being handled under another program.

14 Okay. So what's going to happen? Bill
15 mentioned we're in the middle of public comment period.
16 That's going to end July 20th. We hope to get comments
17 from you folks. We'll evaluate them. When we make the
18 final selection of the remedy, that'll be in the Record of
19 Decision which we call a ROD. And the ROD will include
20 what we call a Responsiveness Summary and that'll include
21 all the comments we get from the folks and our response to
22 that comment.

23 So we hope to get the ROD signed and issued
24 in September of this year so that'll be coming up fairly
25 soon. Okay. So that's it. Appreciate your time. Feel

1 free to ask me any questions you want and I encourage you
2 go to the repository if you would like to look at the --
3 get some more information about the site. So with that,
4 anybody got any questions?

5 MR. BOURG: How long is all of this supposed
6 to take?

7 MR. MILLER: It depends on the alternative
8 but like -- well, before the construction is done, there's
9 going to need to be a design phase. And a lot of these
10 samples you saw, they would be -- I call it limited
11 sampling to see what's there. But if you're going to
12 actually go in there and dig it up, you're going to need
13 to do a lot more sample to see exactly how far you need to
14 dig up and how deep and that kind of thing.

15 So the remedial design phase, we don't have a
16 schedule yet, but that may take a year, you know. We're
17 talking a lot of samples, a lot of engineering technical
18 designs back and forth. And then after that's done, then
19 the work starts. And I don't have a good feel for you
20 right now, how long that can take but --

21 MR. BOURG: We're talking more than a year,
22 maybe five years probably?

23 MR. MILLER: Probably not five years. Just
24 the design will be a year, maybe a couple of years for the
25 construction, maybe a year, somewhere in that time frame

1 for -- to do the actual work. To dig up, you know,
2 they're going to have to get in the marsh, dig it up,
3 bring in the new material, put it down. They're going to
4 have to --

5 Well, for instance, one thing they're going
6 to have to do is look at all those pipelines a lot closer,
7 make sure how deep they are, where their exact -- you
8 know. These are all maps and maybe that's where the
9 pipelines are or maybe not, you know. So they're going to
10 have to look at those pipelines very closely so they know
11 exactly where they are.

12 MR. ALLISON: Most of them, they should be
13 four feet deep. It's required.

14 MR. MILLER: Yeah.

15 MR. LITTLE: Excuse me for a minute.
16 Remember, we're recording this. She needs your name when
17 you ask a question and the spelling; otherwise, we don't
18 know who asked the question and it needs to be in the
19 record, okay. Thanks.

20 MR. BOURG: My name is Carl Bourg,
21 B-O-U-R-G, and I live on Pinetop.

22 THE REPORTER: I'm sorry?

23 MR. BOURG: I live on Pinetop.

24 THE REPORTER: And what's your name, sir,
25 who just spoke, whoever just spoke or asked a question?

1 MR. ALLISON: Oh, Jerry Allison, J-A --
2 J-E-R-R-Y, A-L-L-I-S-O-N. And I live on Sara Jane Road
3 next to Molasses Bayou. My property goes back about -- I
4 don't know -- 1900 feet back in here, something like that.

5 THE REPORTER: Thank you.

6 MR. ALLISON: And I guess it's part of
7 the -- I was going to get you to look at some maps with me
8 later.

9 MR. MILLER: Yeah, yeah. It could very well
10 be part of that.

11 MR. BOURG: Okay. Carl Bourg. The trees
12 and all of that that are there now, a lot of that will be
13 bulldozed over, I imagine, or pulled out.

14 MR. MILLER: Yeah. In all of those areas,
15 we're going take the top 12 inches or whatever it is,
16 yeah. That includes the vegetation, trees as well.

17 MR. BOURG: So when you get through, are you
18 going to plant trees back or is it just going to be grass
19 that somebody'll cut or what?

20 MR. MILLER: You know, that's a good
21 question. I know that the thinking was that things would
22 reestablish themselves, but that will really may need to
23 be -- especially out in the Molasses Bayou area because
24 we're saying we're going to add a foot but is that really
25 going to stay there. There may very well need to be a

1 need to plant some stuff to bring it in there but that'll
2 all be evaluated during the remedial design.

3 MR. BOURG: Okay. Then as you start hauling
4 this material out, it's going to be contaminated. So
5 you're going to put it in some type of a dumpster.
6 I don't know if it's got water in it, is this going to
7 leak out on the road as you drive down the road.

8 And are you going to tear up the road and are
9 you going to fix the road and are you going to bring in
10 fresh material? Well, that's going to tear up the road.

11 MR. MILLER: Right.

12 MR. BOURG: Which roads are you going to
13 use? How are you going to have access to this site, you
14 know? Where's all the traffic going to be?

15 MR. MILLER: Yeah. Those are all very good
16 questions. The short answer is I can't tell you now, but
17 that'll be decided during the remedial design. But if
18 there are already damages to the road, that'll have to be
19 repaired. As far as the leaking containers, you know,
20 they're required -- you can't drive down the road with a
21 leaking container.

22 You'll have to use sealed roll-offs. You
23 can't have the material blowing out of the back of a --
24 That's where, you know, I said it's got to comply with all
25 the laws and regulations. Well, there's laws and

1 regulations that say you don't do that.

2 MR. BOURG: Right.

3 MR. MILLER: You have to have it contained
4 or you have to have it stabilized or you know, a lot of
5 liquid waste need to mixed with things to absorbed the
6 water. And I'm not saying what these are but that will
7 all be looked at during the design so ...

8 MR. BOURG: And as -- say it's dry right
9 now. Well, if you start driving heavy equipment in there
10 and things dry up, now you have a lot of dust,
11 contaminated dust may be blowing. So you know, it's
12 something else.

13 MR. MILLER: Yeah. Dust control comes up
14 with every site. And you know, here, a lot of the areas
15 are wet. Well, that may help you with dust, but well,
16 that's going to be a problem when you try to get heavy
17 equipment in a marsh. Well, you can't do that.

18 MR. BOURG: Yeah.

19 MR. MILLER: So in the Molasses Bayou, there
20 may be some, you know, we've talked about doing barges and
21 things like that but -- so yeah. But that, you know, dust
22 control as needed will be included so ...

23 MR. BOURG: And this isn't -- if a hurricane
24 comes and you're -- a lot this of work of this work is
25 being dumped under the storm levy -- of course, we're

1 outside the levy where we are. We live on Pinetop so it
2 probably wouldn't effect us; but some of the other folks,
3 would it effect them on the other -- they're protected by
4 the levy or you're not going to damage the hurricane
5 protection levy?

6 MR. MILLER: No, no, we won't damage that.

7 MR. BOURG: Okay.

8 MR. MILLER: Now, in the areas that were --
9 you know, it showed that the blue area was coming up.
10 Well, in the map there, it kind of showed to it the middle
11 of the levy. Well, no, no. We're not going to get in and
12 damage the levy.

13 And remember, this risk was ecological risk,
14 you know. We're not talking -- there's not a human health
15 risk. So we're just talking about improving the
16 environment, protecting all these animals. So no, we're
17 not to go in there and destroy the levy, you know. We
18 just go up in the Jefferson Canal, for instance, up to the
19 levy. And you know, that'd be it so ...

20 Oh, one thing I did want to mention. Some of
21 you folks probably are aware there's a Jefferson County
22 Drainage District No. 7. A few days ago, they submitted a
23 recommendation regarding Jefferson Canal. Now, our plan
24 was to take out the top 12 inches and then go back in with
25 12 inches of new material.

1 They were concerned about dredging operations
2 and maybe going through that one inch. You know, you
3 can't control dredging that well. So they recommended
4 that we go in there a concrete line channel in there. So
5 actually, we'll be talking about that after the meeting
6 tonight. But I want to let you folks know, I mean, that
7 was a comment that we received to suggested an alternative
8 remedy for at least the Jeff -- part of the Jefferson
9 Canal area so ...

10 MR. BOURG: And Carl Bourg again. You
11 mentioned something about the groundwater. We have a
12 shallow well where we are and I know that's not what
13 you're dealing with, but I wonder how we can find out
14 about groundwater contamination.

15 MR. MILLER: There are -- part of it is
16 actually in the Feasibility Study. There's a section on
17 there that talks about it, but that's just like an
18 overview of what the Texas has got done.

19 And Terry, I don't know want put you on the
20 spot 'cause you're not involved with the site; but do you
21 know anything about who the contact would be for that
22 Corrective Action Program?

23 MR. ANDREWS: I don't. My name is Terry
24 Andrews. I'm with the TCEQ. My office is in Houston.
25 I'm kind of just standing in tonight. The Project

1 Manager, Phillip Winsor, isn't able to be here today.

2 I'm not sure who the project manager is at
3 that Corrective Action Site.

4 MR. MILLER: If you would maybe after
5 meeting, give me your contact information. I can find out
6 and let you know.

7 MR. BOURG: Okay. Appreciate it.

8 MR. DUPLANT: Gary, I can let you know. The
9 gentleman that's over our groundwater program with TCEQ is
10 Jim Formby.

11 MR. MILLER: Okay.

12 MR. DUPLANT: And you can find his
13 information on the web site, TCEQ's web site.

14 MR. MILLER: Okay.

15 THE REPORTER: Excuse me. What's your name?

16 MR. DUPLANT: Brett Duplant, I apologize,
17 with Huntsman.

18 THE REPORTER: Brant Deplant?

19 MR. DUPLANT: Brett, B-R-E-T-T, Duplant,
20 D-U-P-L-A-N-T.

21 THE REPORTER: Could you speak up? I'm
22 sorry?

23 MR. DUPLANT: Duplant, D-U-P-L-A-N-T.

24 THE REPORTER: Thank you.

25 MR. DUPLANT: Brett.

1 MR. ALLISON: Can I ask -- I'm Jerry
2 Allison again. I'd recommend on the Molasses Bayou --
3 I don't know how they let those boats get parked in there
4 and they stopped the natural circulation of Molasses Bayou
5 used to it. And also, the core of engineers, they pump
6 spoilage. They got a, you know, a spoil levy, you know
7 back on the east side. And that water coming out there,
8 discharge water, had solids in it and it stopped the flow
9 going to the river from there. That should be cleaned
10 back up or dug back out where that would be a natural
11 circulating bayou again like it --

12 It was that way for -- until about 15 years
13 ago I'd say. I hope they do something about that.

14 MR. MILLER: Yeah. I'd like to get with you
15 after the meeting on that.

16 MR. ALLISON: Yeah.

17 MR. MILLER: That's not really a part of the
18 site, but I know some folks at the core. So I'll talk to
19 them and see what I can find out --

20 MR. ALLISON: Yeah, it's their fault. They
21 shouldn't never let that happen.

22 MR. MILLER: Okay. Yeah. Let's get
23 together after the meeting.

24 MR. ALLISON: Okay. Thank you.

25 MR. LABURN: Scott Laburn, L-A-B-U-R-N.

1 THE REPORTER: L-A -- I'm sorry?

2 MR. LABURN: L-A-B-U-R-N. Where does all
3 the contaminated material going to go and how and what
4 happens to it?

5 MR. MILLER: It'll be -- there hasn't been a
6 disposal facility picked. You know, it depends on the
7 contaminants and that'll be determined during the remedial
8 design; but there are requirements depending on the
9 material, the levels and the material that's hauled off
10 and it'll have to comply with all those laws.

11 But during the remedial design, they go
12 through and they'll say, okay, we've got this much
13 material and it contains this much contamination and
14 they'll basically get bids and make sure those places can
15 either put it in a landfill somewhere, a permanent
16 landfill or do some other treatment, just whatever is
17 needed but right now, we don't have those places
18 identified yet.

19 MR. LABURN: So it could be another state?
20 It could be anywhere?

21 MR. MILLER: It could be anywhere, yeah.

22 MR. LABURN: And you mentioned the whole
23 concept of ecological but if you take off 12 inches, I
24 mean, has anybody figured out how many animals that's
25 going to kill that's in the mud?

1 MR. MILLER: Yeah. That was a big trade off
2 because you'd say okay, well, we'll just -- we're not
3 going to do anything. We're just going to leave it like
4 it is. Well, yeah, you could do that and you wouldn't
5 damage anything; but when you do that, you'd leave in the
6 areas that have the higher levels of concentration, it's
7 going to continue to be there and it's going to continue
8 to hurt, you know, the ecology.

9 So basically, what we tried to do is a trade
10 off. We said okay, there is half toxicity but maybe a
11 little bit less. We'll just leave them and go. Because
12 when we -- you're right. When we dig it up, I mean, we're
13 destroying it. But we hope by taking those materials out
14 a lot quicker, that the marsh and whatever can reestablish
15 itself; but that --

16 I mean, that is the trade off that we make.
17 In a lot of cases, we say well, you know, we're really
18 better off just leaving it so -- and allowing for the
19 natural processes to work over time which works slowly.

20 MR. ALLISON: The bugs then eat the stuff.
21 That's what we did at Dupont.

22 MR. MILLER: Yeah, yeah. That's -- these
23 natural processes, there are naturally incurring bugs,
24 bacteria that break down some of the things. Some of the
25 things, no.

1 MR. ALLISON: It decays, yeah.

2 MR. MILLER: Yeah so ... Did you have
3 anything you to wanted add?

4 MR. SHEWMAKE: No. I'm the Risk Assessor,
5 and I did a lot of the data analysis. And he did a great
6 job of presenting the risk information. If y'all have any
7 questions, I'll be around and can answer anything you want
8 to know.

9 MR. MILLER: All right. Well, if there are
10 no more questions, Bill, you want to close up?

11 MR. LITTLE: I just want to remind everyone
12 that -- about the public comment period. If you do have a
13 statement, a comment you want to make, we have to have it
14 in writing. And if you need the address, I have plenty of
15 the sheets in the back that have the address for Gary in
16 the Dallas office. But we need it by -- it's got to be
17 postmarked by July 20th and then it will go in the record
18 and we will consider that in establishing the Record of
19 Decision and the Feasibility Study and how we're going to
20 get this done. So it's very important that we get it in
21 writing.

22 MR. BOURG: So the questions we had tonight,
23 we have to put it in writing?

24 MR. LITTLE: Yes, sir.

25 MR. MILLER: Well, let me. The questions

1 you asked tonight are in the record so the court reporter
2 will have a report of everything. And when we do the
3 response to comments, I'll go through those comments. And
4 if you want to say anything in addition to that -- but
5 what everybody brought up tonight, those comments or
6 questions will be in the record and part of the Record of
7 Decision.

8 MR. LITTLE: You want to make sure it's in
9 there, send it to us in writing, okay. And he didn't say
10 anything wrong; but if you want make sure, we need it in
11 writing by July 20th. Okay?

12 And if you have questions, we're basically
13 done. If want to stay around, ask anybody any questions,
14 look at the maps. There's some more maps over there.
15 Ken, Gary, everybody else will be here to answer your
16 questions. Thank you very much for coming, and we hope
17 you understand what we're trying to do. Thanks.

18 (Public meeting concluded at 6:53 p.m.)
19
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1 STATE OF TEXAS)
2 COUNTY OF JEFFERSON)
3

4 REPORTER'S CERTIFICATION
5 PROPOSED PLAN PUBLIC MEETING for the
6 STAR LAKE CANAL SUPERFUND SITE
7 PORT NECHES, JEFFERSON COUNTY, TEXAS
8 JULY 11, 2013
9

10 I, Trevor Causey, Shorthand Reporter certify that
11 the facts stated in the foregoing pages are true and
12 correct.

13 I further certify that I am neither attorney or
14 counsel for, related to, nor employed by any of the
15 parties to the action in which this testimony was taken
16 and, further, I am not a relative or employee of any
17 counsel employed by the parties hereto, or financially
18 interested in the action.



Trevor Causey

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